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Department of Environmental Quality Office of Environmental Assessment Environmental Planning Division

Advanced Notice of Rulemaking for Requirements for Response Action Contractors

The Louisiana Department of Environmental Quality is requesting comments on the January 20, 2000, draft proposed addition of Chapter 12 to the Underground Storage Tank (UST) rules and regulations, which includes requirements for Response Action Contractors (RAC) who assess and remediate motor fuel contaminated sites eligible for cost reimbursement in accordance with the Motor Fuels UST Trust Fund. It is the department's intent to incorporate this proposal into existing regulations. This is a preliminary step in the rulemaking process; official rulemaking will be initiated after review and consideration of the comments received on this advance notice.

The draft proposed rule is based on a department policy that has been utilized for approximately ten years and will set into formal rule the requirements that professional environmental consulting firms must meet in order to be listed on the department's RAC list. The draft proposed rule improves qualifications in the current policy, provides for a RAC's annual renewal of basic qualifying information, requires additional insurance coverage, and sets up provisions for the suspension/revocation of RAC listed consulting firms. Preliminary draft reviews were provided to the Motor Fuels UST Trust Fund Advisory Board, in accordance with R.S. 30:2195.8, and their comments were addressed in this draft.

In addition to the technical content of the document, we specifically request comments on the estimated cost to the consulting firm assuming this proposal is incorporated in our existing regulations. Though the department has invested many hours in the development of this document, the priority for this draft was technical content rather than presentation. Therefore, we apologize for any typographical, grammatical, or formatting errors. Please note any of these errors in your comments to assist us in further refinement of the document.

All interested persons are invited to submit written comments on the draft proposal. Commentors should reference this document as Log #UT007. Comments are due by February 21, 2000, at 4:30 p.m. and should be sent to Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884; hand delivered to 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA; or faxed to (225) 765-0486. If you have any questions regarding the content of this draft proposal, please contact Raul Busquet, Remediation Services, at (225) 765-0355. Copies of this draft proposal can be purchased at the above reference address. You may contact the Regulation Development Section at (225) 765-0399 for pricing information. Check or money order is required in advance for each copy of the draft proposal UT007.

This draft proposal is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 804 Thirty-first Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 3501 Chateau Boulevard, West Wing, Kenner, LA 70065; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at <http://www.deq.state.la.us/planning/regs/index.htm>.

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